

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

EQUAL EMPLOYMENT OPPORTUNITY)	
COMMISSION,)	
)	
Plaintiff,)	
)	CIVIL ACTION NO.
v.)	
)	4:04CV01359 ERW
ALLSTATE INSURANCE COMPANY,)	
)	
Defendant.)	
)	
)	
)	

SETTLEMENT ALLOCATION ORDER

This matter comes before the Court on the Parties' *Joint Motion for Approval of Settlement Allocation* (Dkt. #118). On September 14, 2009, this Court entered a *Stipulated Order* (Dkt. #112) which set forth the terms of the Parties' agreement to settle this action. In accordance with the *Stipulated Order*, notice of the Order was provided to each of the Eligible Claimants and an opportunity for each to provide the Court and the Parties with comments and objections to the distribution methodology for the monetary relief under the *Stipulated Order* (the "Distribution Plan").

The EEOC has submitted the comments and objections from Eligible Claimants and other former employee agents of Allstate who were not Eligible Claimants (Dkt. #114, #122, and #123), which the Court has reviewed and considered. The Court has further received and considered Allstate's Response to Claimants' Comments and Objections to Stipulated Order (Dkt. #115), EEOC's Responses to Objections and Comments to the Stipulated Order (Dkt. #116), and EEOC's Supplemental Responses to Objections and Comments to the Stipulated Order (Dkt. #117).

After receipt of the comments and objections, the Parties filed with this Court their *Joint Motion for Approval of Settlement Allocation*, which: (1) made corrections to the allocation of monetary relief based upon the identification of mistakes in the application of the Distribution Plan; and (2) modified the Distribution Plan to address certain comments and objections made by Eligible Claimants.

On December 4, 2009, a hearing was held on the Parties' *Joint Motion for Approval of Settlement Allocation*. Notice of the hearing previously was provided to all Eligible Claimants, and several Eligible Claimants appeared and participated in the hearing.


After consideration of the Parties' submissions, the arguments of the Parties at the hearing, and the comments and objections of the Eligible Claimants and others, including those comments and objections previously filed with the Court and those made orally at the hearing, the Court finds:

1. The amended Distribution Plan provides a fair and reasonable distribution of monetary relief under the *Stipulated Order* and the objections to the contrary are not well founded;
2. Objections, including, among others, the adequacy of the relief provided by the *Stipulated Order*, that the total amount of monetary relief, \$4,500,000, is insufficient, and that there is no admission of liability by Defendant, as well as all other objections, individually and collectively, are not well founded on their merits and are beyond the scope of this proceeding;

WHEREFORE, the Court finds that the Parties' *Joint Motion for Approval of Settlement Allocation* provides a fair and reasonable allocation of the monetary relief provided by the *Stipulated Order*, and accordingly:

1. **GRANTS** the Parties' *Joint Motion for Approval of Settlement Allocation*;
2. **ORDERS** the Parties to proceed with the distribution of monetary relief pursuant to the Distribution Plan attached hereto as Exhibit 120a in the manner provided by the terms of the *Stipulated Order*.

So Ordered this 15th Day of December, 2009.



E. RICHARD WEBBER
UNITED STATES DISTRICT JUDGE